

under this division and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned under sections 202 and 204 of title 23, United States Code) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (b), the Secretary shall, after August 1 of each fiscal year—

(1) revise a distribution of the obligation authority made available under subsection (b) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP-21 (Public Law 112-141)) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under chapter 5 of title 23, United States Code.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (b) for each fiscal year, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (b)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be

available for any purpose described in section 133(b) of title 23, United States Code.

At the end of division C, add the following:

SEC. 3. OBLIGATION LIMITATION.

Section 5338 of title 49, United States Code (as amended by section 30017), is amended by adding at the end the following:

“(f) OBLIGATION LIMITATION.—Notwithstanding subsection (a) or any other provision of law, for each fiscal year, the total of all obligations from amounts made available from the Mass Transit Account of the Highway Trust Fund by subsection (a) and any other provision of law shall not exceed the net mass transit receipts most recently estimated for that fiscal year by the Secretary of the Treasury under section 9503(e)(4) of the Internal Revenue Code of 1986.”.

SA 2561. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2065, strike line 13 and all that follows through “(6)” on page 2071, line 1, and insert the following:

(B) shall deploy the broadband network and begin providing broadband service to each customer that desires broadband service not later than 4 years after the date on which the entity receives the subgrant, except that an eligible entity may extend the deadline under this subparagraph if—

(i) the eligible entity has a plan for use of the grant funds;

(ii) the construction project is underway; or

(iii) extenuating circumstances require an extension of time to allow the project to be completed;

(C) for any project that involves laying fiber optic cables or conduit underground or along a roadway, shall include interspersed conduit access points at regular and short intervals;

(D) may use the subgrant to deploy broadband infrastructure in or through any area required to reach interconnection points or otherwise to ensure the technical feasibility and financial sustainability of a project providing broadband service to an unserved location, underserved location, or eligible community anchor institution;

(E) once the network has been deployed, shall provide public notice, online and through other means, of that fact to the locations and areas to which broadband service has been provided and share the public notice with the eligible entity that awarded the subgrant;

(F) shall carry out public awareness campaigns in service areas that are designed to highlight the value and benefits of broadband service in order to increase the adoption of broadband service by consumers; and

(G) if the entity is no longer able to provide broadband service to the locations covered by the subgrant at any time, shall sell the network capacity at a reasonable, wholesale rate on a nondiscriminatory basis to other broadband service providers or public sector entities.

(5)

SA 2562. Mr. LEE submitted an amendment intended to be proposed to

amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE VI—NO DUPLICATION OF FUNDING FOR BROADBAND INFRASTRUCTURE

SEC. 60601. NO DUPLICATION OF FUNDING FOR BROADBAND INFRASTRUCTURE.

None of the amounts made available under this division or an amendment made by this division may be awarded for the construction, operation, or upgrading of broadband infrastructure to serve customers in an area that is served by a broadband provider that receives funds under another Federal broadband program.

SA 2563. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE VI—NO OVERBUILDING CAUSED BY DUPLICATION WITH UNIVERSAL SERVICE SUPPORT OR OTHER FEDERAL BROADBAND FUNDS

SEC. 60601. NO OVERBUILDING CAUSED BY DUPLICATION WITH UNIVERSAL SERVICE SUPPORT OR OTHER FEDERAL BROADBAND FUNDS.

The Assistant Secretary of Commerce for Communications and Information may not award amounts under this division or an amendment made by this division if the Federal Communications Commission determines that the award would likely lead to overbuilding by a recipient of—

(1) universal service support; or

(2) amounts provided under another Federal program for the provision of broadband internet access service.

SA 2564. Mr. CARPER (for himself, Mr. INHOFE, Mr. WICKER, and Ms. DUCKWORTH) proposed an amendment to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; as follows:

On page 2486, line 14, strike “Provided” and all that follows through “proviso:” on line 21 and insert the following: “Provided further, That of the amount provided under this heading in this Act, \$2,500,000,000 shall be for construction, replacement, rehabilitation, and expansion of inland waterways projects: *Provided further*, That section 102(a) of the Water Resources Development Act of 1986 (Public Law 99-662; 33 U.S.C. 2212(a)) and section 109 of the Water Resources Development